

United States District Court
Northern District of Illinois
Eastern Division

RECEIVED
6/21/2021
CRL

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Timothy Holmes Jr. (Plaintiff)

Vs.

Case No: 1:21-CV-02307

Jfc. Orampo; Gfc. Mekshi;
The City of Chicago; Cook
County District Attorney; Cook
County Jail

Judge Steven C. Seeger
Magistrate Judge Jeffrey Cole
DC3

Amended Complaint

1. Timothy Holmes (A)

B.) No Aliases

C.) B56816

D.) Western - WST

E.) 2500 RT 99 South, MT. Sterling, IL, 62353

2. A.) Officer Orampo - Badge # 18437 - Police Officer - Employed by the City of Chicago for the Chicago Police Department.

B.) Officer Mekshi Badge # 7594 - Police Officer - Employed by the City of Chicago for the Chicago Police Department.

C.) The City of Chicago ~~for the~~

D.) The County of Cook - in Chicago Illinois

Cook County Department of Corrections
2700 South California Avenue
Chicago, Illinois 60608

AUTHORIZATION TO RELEASE FUNDS

Date: 4/16/21

I, Timothy Holmes
(PRINT - Inmate's Name)

ID# 2020-08230416

Div. 04

Living Unit L1

hereby authorize the release of the sum of \$ 400.00 - Four Hundred 0/100
to Mr./Ms. Clerk, United States District Court - 219 S. Dearborn St 20th Floor
(PRINT - Recipient's Full Name) (Street Address) (City & State)

who is my PRW (Relationship to Inmate) (Identification Presented: CCSD Employee ID 60604)

I understand that the Cook County Department of Corrections assumes NO liability for these funds after their receipt by the party named above. This transaction **MUST** be completed on the date listed above.

Inmate's Signature: _____

Disbursed by: _____

Recipient's Signature: _____

Received by: _____
(Recipient's signature at time of disbursement)

Witnessed by: _____
(Inmate Services / CCDOC - Authorized Signature)

Effective 05/2018

Paid To: CLERK, UNITED STATES DISTRICT COURT
Paid By: 0468431 : Holmes, Timothy

Date: 4/16/2021
Amount: \$400.00

Check #607135

CLERK, UNITED STATES DISTRICT COURT
219 DEARBORN ST. 20TH FLOOR
CHICAGO IL 60604

3PC- CRW (FILING FEES)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Holmes v. Matthew McDonough
& Thomas Mason y 1:11-CV-07610
- B. Approximate date of filing lawsuit: 10-25-2011
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: M. McDonough & T. Mason

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Northern District of Illinois, Eastern Division
- F. Name of judge to whom case was assigned: Honorable Gary
Feinerman
- G. Basic claim made: Violation of forth admentment Right

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Dismissed

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

Statement of Claim:

On 08-23-2020 Timothy Holmes was on his way to get a pack of cigarettes. He was driving west bound on Jackson Blvd. in Chicago Illinois. Holmes pulled over to exit his vehicle, but before he could get out Chicago's police officers Mekshi (Star # 7594) and Ocampo (Star # 18437) pulled along the back end of the driver's side of Mr. Holmes's vehicle and turned on their flashing lights. The officers got out of their vehicle and approached Mr. Holmes from both sides of his vehicle. Officer Mekshi (Star # 7594) approached Mr. Holmes on the driver side of the vehicle and asked Mr. Holmes to see his drivers license & registration. Mr. Holmes gave the officer his license, but the registration for the vehicle was expired. They ran Mr. Holmes's license and they came back valid. The officer didn't write Mr. Holmes any traffic citation or give him a warning of any kind, instead officer Mekshi insisted Mr. Holmes exit the vehicle. Mr. Holmes obeyed their command and got out of the vehicle. Ocampo (Star # 18437) then searched the vehicle Mr. Holmes occupied and recovered a weapon. Mr. Holmes was then placed under arrest and was in Cook County jail for 249 days.

The defendants performed a de facto seizure of Mr. Holmes when they activated their flashing lights, approached both sides of his vehicle, and insisted he exit his vehicle in order to search it. Defendants didn't see Mr. Holmes commit any crime, nor suspect Mr. Holmes of having committed any crime prior to the discovery of the weapon following the search. Defendants didn't have probable cause for their seizure of Mr. Holmes and therefore conducted a warrantless seizure of Mr. Holmes in violation of his rights under U.S. Const., amend. IV.

The Search of Mr. Holmes's vehicle by defendants was a unreasonable warrantless Search in violation of the U.S. Const. Amendment 4th. The facts alleged above also constitute the Illinois State law acts of intentional infliction, of emotional distress, false arrest, false imprisonment and trespassing by the defendants.

The Cook County D.A. also had enough evidence to see there wasn't a justifiable factor for the ~~seizure~~ seizure of ~~Mr. Holmes~~ Mr. Holmes and the Search of his vehicle.

5.)
Relief:

Plaintiff prays to this court for punitive, compensatory, general and nominal damages. In the sum of 450,000 dollars.

6.) Yes. The Plaintiff demands that the case be tried by a Jury.

June 16, 2021

~~Timothy Holmes~~

Timothy Holmes

PS6816

Western - WST

2500 Route 99 South

Mt. Sterling IL 62353